

HOUSE BILL 3492

By Fincher

AN ACT to amend Tennessee Code Annotated, Title 33,  
relative to service recipients funded by the division  
of intellectual disabilities services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 4, Part 1, is amended by  
adding the following language as a new, appropriately designated section:

§ 33-4-111.

(a) Service recipients receiving residential services funded by the division of  
intellectual disabilities services (DIDS) are required to give their service providers at  
least ninety (90) days written notice before changing service providers, not for cause.

(b)

(1) Before a service recipient receiving residential services funded by the  
DIDS may change service providers for cause, such recipient must give the  
service provider written notice of the cause and at least thirty (30) days to cure  
the cause. If the service provider needs more than thirty (30) days to cure, then  
the service provider shall give the service recipient written notice, within twenty  
(20) days of having received the written notice of the cause, of the date when the  
cause will be cured. If the cause is not cured within thirty (30) days of the written  
notice of the cause or by the date that the service provider stated it would be  
cured, then the service recipient is free to change service providers.

(2) Notwithstanding any provision to the contrary, if cause is resulting in  
the immediate and substantial deterioration of the service recipient, then the  
service provider shall be so notified in writing. If the service provider fails to

notify the service recipient in writing within three (3) days of having received the notice from the service recipient, of how the cause has been addressed, then the service recipient may change service providers without further notice.

(3) "Cause" means that the physical or behavioral health of the service recipient is deteriorating because the service provider is not providing the services at the level authorized by DIDS.

SECTION 2. Section 1 shall be considered part of the contract between the service recipients receiving residential services funded by the division of intellectual disabilities services (DIDS) and their service providers.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.